
Remarks

In response to the restriction requirement, Applicants, through and by their attorneys, elect to prosecute, by way of the present application, the invention of claims 1-15 drawn to a liquid absorbent device including an outer cover, a first and second frangible line and a liquid absorbent device, Class 604, subclass 385.04. Accordingly, please cancel claims 16-28 without prejudice to or disclaimer of the subject matter recited therein.

Claims 1-15 are presented for consideration.

Pursuant to 37 C.F.R. § 1.111, reconsideration of the present application in view of the preceding amendments and following remarks is respectfully requested.

Claims 1-6 and 8-15 stand rejected under 35 U.S.C. 102(e) as anticipated by U.S. Patent No. 6,293,932 to Balzar et al. Applicants respectfully traverse this rejection to the extent it might apply to the claims as amended.

It is the Applicants' position that Balzar et al. fails to teach or suggest the presently claimed invention.

Balzar et al. is directed to the combination of an absorbent article and a separate wrapper. According to Balzar et al., the wrapper is positioned at one end of the absorbent article so that an end of the article is flush (i.e., even) or extends beyond the end of the wrapper to reduce the amount of wrapper material used in enveloping the absorbent article. See Balzar et al. at, for example, col. 5, lines 19-32.

In marked contrast, the present claims recite a liquid absorbent device that has an outer cover that functions as a wrapper prior to use. Upon removal of certain portions, the outer cover forms the liquid impermeable layer or backsheet of the absorbent article during use. See the Applicants' specification at, for example, page 7, lines 1-5.

The Applicants' representative has reviewed the Balzar et al. reference and is unable to locate teaching (either expressly or inherently) or suggestion of the Applicants' recited invention. By teaching the use of a separate wrapper and absorbent article, the Applicants contend that Balzar et al. teaches away from the present invention.

Accordingly, it is the Applicants' position that claims 1-6 and 8-15 are novel and patenably distinct over Balzar et al.

Claims 1, 7-8 and 15 stand rejected under 35 U.S.C. 103(a) as obvious over U. S. Patent No. 5,827,251 to Moder et al. Applicants respectfully traverse this rejection to the extent it might apply to the claims as amended.

It is the Applicants' position that Moder et al. fails to teach or suggest the presently claimed invention.

Moder et al. is directed to the combination of an absorbent panty liner, an insert such as a tampon and a separate wrapper or backing **60**. According to Moder et al., the panty liner includes a liquid-impermeable baffle **94** (also called the backsheet). See Moder et al. at, for example, FIG. 24; col. 11, lines 33-35; and col. 12, lines 34-46. The wrapper or backing **60** can serve as the releasable peel strip to protect the adhesive side of the panty liner. That is, the backing **60** can cover the garment adhesive **96** located on the garment facing side of the impermeable baffle **94**. The backing can also serve as the packaging pouch component. See Moder et al. at, for example, col. 7, lines 45-60; col. 8, lines 19-26.

In marked contrast, the present claims recite a liquid absorbent device that has an outer cover that functions as a wrapper prior to use. Upon removal of certain portions, the outer cover forms the liquid impermeable layer or backsheet of the absorbent article during use. See the Applicants' specification at, for example, page 7, lines 1-5.

The Applicants' representative has reviewed the Moder et al. reference and is unable to locate teaching (either expressly or inherently) or suggestion of the Applicants' recited invention. By teaching that a separate wrapper or backing should serve as the pouch of a panty liner that also has a liquid impermeable backsheet, the Applicants contend that Moder et al. teaches away from the present invention.

Accordingly, it is the Applicants' position that claims 1, 7-8 and 15 are novel and patenably distinct over Moder et al.

All outstanding issues raised by the Examiner having been addressed, it is respectfully submitted that the present application is in condition for allowance. Action to such effect is therefore respectfully requested.

The Examiner is invited to telephone the undersigned should any minor issues remain after consideration of the present amendment. The undersigned may be reached at (770) 587-8635.

Please charge any prosecutorial fees that are due to Kimberly-Clark Worldwide, Inc. deposit account number 11-0875.

Respectfully submitted,

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CERTIFICATE OF MAILING

I, Karl V. Sidor, hereby certify that on February 13, 2004 this document is being deposited with the United States Postal Service as first-class mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

By: 

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